

OPEN MEETING AGENDA ITEM



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BEFORE THE ARIZONA CORPORATION COMMISSION

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KRISTIN K. MAYES

2005 NOV 14 P 3:43

ORIGINAL

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF)
VIRGIN MOUNTAIN UTILITIES COMPANY TO)
EXTEND ITS EXISTING CERTIFICATE OF)
CONVENIENCE AND NECESSITY TO)
PROVIDE WATER SERVICE IN MOHAVE)
COUNTY, ARIZONA AND APPROVAL OF A)
HOOK-UP FEE TARIFF.)

DOCKET NO. W-03551A-04-0325

STAFF'S NOTICE OF FILING
LATE-FILED EXHIBIT

On October 27, 2005, Administrative Law Judge Stern requested that Staff procure documentation from the Arizona Department of Environmental Quality regarding the requirements for processing Approval's to Construct. Thus, Staff has attached a copy of a November 1, 2005 letter from John C. Calkins, Manager of the Safe Drinking Water Program, as a late-filed exhibit (please see 3 page attachment).

RESPECTFULLY SUBMITTED this 14th day of November, 2005.

David M. Ronald

David M. Ronald
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

The original and thirteen (13) copies
of the foregoing were filed this
14th day of November, 2005 with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

1 Copy of the foregoing were mailed this
2 14th day of November, 2005 to:

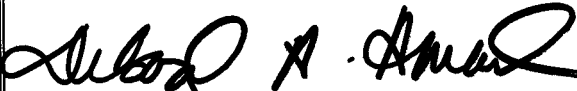
3 Richard Sallquist
4 SALLQUIST & DRUMMOND
5 4500 South Lakeshore Drive
6 Suite 339
7 Tempe, Arizona 85282

8 Bob Frisby
9 BEAVER DAM WATER COMPANY
10 Post Office Box 550
11 Beaver Dam, Arizona 86432

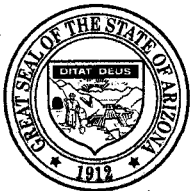
12 Christopher Kempley, Chief Counsel
13 Legal Division
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 Lyn Farmer, Chief Hearing Officer
18 Hearing Division
19 Arizona Corporation Commission
20 1200 West Washington Street
21 Phoenix, Arizona 85007

22 Ernest Johnson, Director
23 Utilities Division
24 Arizona Corporation Commission
25 1200 West Washington Street
26 Phoenix, Arizona 85007

27 

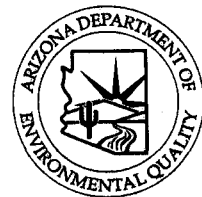
28 Deborah Amaral, secretary to
David M. Ronald



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens
Director

November 1, 2005

David Ronald, Legal Division
Arizona Corporation Commission
1200 West Washington St.
Phoenix, AZ 85007

Re: Approval To Construct Application Requirements

Dear Mr. Ronald:

Pursuant to a request we received from Steve Olea's office within the Arizona Corporation Commission, the purpose of this correspondence is to outline the submittal requirements for applying for a drinking water approval to construct (ATC) for expanding a water system. In short, ADEQ's Technical Engineering Unit requires a completed application, construction plans, construction specifications, design reports, water service agreement, CC&R (covenants, conditions and restrictions) and regulatory compliance status related information. ADEQ does not require a facility to have or be in the process of applying for Certificate of Convenience and Necessity (CC&N) in order to apply for or obtain an ATC.

The before mentioned engineering requirements are outlined on ADEQ's Completeness Review Guide for Engineering Review, Form 222 (attached) and is located on our web site at www.azdeq.gov/environ/water/permits/download/222.pdf.

Should you have questions on the engineering review process or any other drinking water related matter, please feel free to contact me or Kwame Agbare, Supervisor of the Technical Engineering Unit, directly at (602) 771-4664.

Sincerely,

John C. Calkins, Manager
Safe Drinking Water Program

cc: Steve Olea (with attachments)
Kwame Agbare

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LEGAL DIV.
ARIZ. CORPORATION COMMISSION

Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY - WATER QUALITY DIVISION (FORM 222)

j:\wqd\POLICIES-All Type4General\APPI\Submitreqmnt-222 and j:\wqd\FORMS-All Type4Permits&DrinkingWtr\SubmitReqmnt-222 2/25/03

COMPLETENESS REVIEW GUIDE FOR ENGINEERING REVIEW OF DRINKING WATER, WASTEWATER, SUBDIVISION AND POOL/SPA PROJECTS

This guide is intended to help applicants and ADEQ staff in application preparation and review of proposed sanitary facilities. Submission of any document does not imply acceptability of the contents. The level of detail may vary depending on the nature of the projects. The basic information requirements are delineated in the Rules and Engineering Bulletins of the Department. This guide covers the project types most commonly submitted, and is not intended to be all-inclusive. Part I summarizes the typical content of a document to be submitted. Part II identifies the documents that need to be submitted for common project types. For additional information and forms, visit ADEQ's web site at www.adeq.state.az.us.

PART I: DOCUMENT CONTENT - Drinking Water Projects & Type 4 (Wastewater) General Aquifer Protection Permit Projects, including Subdivisions (Form 222)

1. Initial Fee per Arizona Administrative Code R18-14-101 thru -107. (Sewer & Subdivision Projects Only)
2. Application for Approval to Construct Drinking Water Facilities. Use form ADEQWQD-114DW (WHITE form).
3. Notice of Intent to Discharge under General Aquifer Protection Permit 4.01 for Sewage Collection System. Use only the form bearing this title. ALL requested information must be supplied, including precise site location, "Narrative Description of Project", and signed/dated "Certification of Compliance".
4. Notice of Intent to Discharge under General Aquifer Protection Permit for On-Site Wastewater Treatment Facility. Use only the form bearing this exact title. ALL requested information must be supplied, including precise site location, "Narrative Description of Project", and signed/dated "Certification of Compliance".
5. Application for Approval of Sanitary Facilities for Subdivision: Signed/dated. Use form ADEQWQD-115.
6. Application for Approval of Swimming Pool or Spa: Signed/dated. Use form ADEQWQD-147.
7. Construction Plans: Construction plans are to be suitable for actual construction and meet drawing standards found in applicable ADEQ rules and Engineering Bulletins. Must include routing map and access instructions to project site. Plans must be signed and sealed by a Arizona-Registered Engineer for drinking water, 4.23 on-site, and sewer projects.
8. Construction Specifications: May be included on plans. Specifications must be signed and sealed by a Arizona-Registered Engineer for drinking water, 4.23 on-site, and sewer projects.
9. Design Report: Includes a description of the project, the basis of the design, calculations for project design flow system demands, system capacity, potable water system pressure analysis, capacity phasing and other information needed to gain a clear understanding of the work to be done. Requirements for Project Types E, F, & H are specified in 18 A.A.C. 9, Article 3. Design report must be signed and sealed by a Arizona-Registered Engineer for drinking water, 4.23 on-site, and sewer projects.
10. Site Investigation/Geological Report: On-site systems require a site investigation in accordance with A.A.C. R18-9-A310. Mapping of topography, erosion/floodplain zones, other easements, adjacent land status shall also be included. For proposed subdivision projects with on-site sewage disposal, typical compliant, on-site sewage system designs shall be included for a minimum of the four most restrictive lots (See Engineering Bulletin No. 19).
11. Original Water Service Agreement: Required if water source or service to be provided by other than the project applicant.
12. Sewage Treatment Facility Capacity Assurance: Signed by the owner or operator of the sewage treatment facility that treats or processes the sewage from the proposed sewer collection system.
 - a. The owner or operator shall affirm that the additional volume of wastewater delivered to the facility by the proposed sewer collection system will not cause any flow or effluent quality limits of the individual permit for the facility to be exceeded.
 - b. If the facility is classified as a groundwater protection permit facility under A.R.S. § 49-241.01(C), or if no flow or effluent limits are applicable, the owner or operator shall affirm that the design flow of the facility will not be exceeded.
13. Downstream Sewage Collection System: Capacity Assurance: If the proposed sewage collection system delivers wastewater to a downstream sewer collection system under different ownership or control, a capacity assurance form, signed by the owner or operator of the

- downstream sewer collection system, affirming that the downstream system can maintain the performance required if it receives the increased flows associated with the new system or the expansion in accordance with AAC R18-5-407(B) & R18-9-E301(C)(2). Pools also need a letter in accordance with R18-5-203(B)(4).
14. Original Garbage Disposal/Service Agreement. For municipal solid waste.
15. Original County Conceptual Approval: Use form ADEQWQD-113. Required only for subdivisions in which wastewater treatment and disposal is the responsibility of the individual lot owner.
16. Operation & Maintenance Plan (Manual): Required for collection system projects greater than 10,000 gallons per day and all on-site wastewater treatment facilities. An O&M Manual is required for water treatment plants before approval of construction can be issued
17. Final Plat as recorded or as to be recorded: Show all lots, common areas & easements.
18. Water Quality Analyses Report: For any new source for a public water system, including data for: Microbiological; Physical; Radiochemical; Inorganic; Synthetic Organic; Asbestos and Volatile Organic Compounds (VOCs) required per Arizona Administrative Code.
19. Water Well Construction Data: Well registration information, drillers log, cross section of well, details of the well head with check valves, air and water tight sanitary seal and cement grout seal, screened vents and sampling ports, air release valve, pump test data, pump curve, size, capacity, depth of pump, site grading, and enclosures.
20. Site Plan: Site plans should be suitable for the specific project type, typically shown on the construction plans. Requirements for Project Types E, F, & H are specified in 18 A.A.C. 9, Article 3. A general plot plan is required for pools and spas
21. CC&R's (Covenants, Conditions & Restrictions): Required whenever a Homeowner's Association, etc., will have responsibility for the water/sewer facilities. Also required if any lots contain easements for sewage treatment or disposal facilities. Always required if domicile size restriction (including number of bedrooms) is part of the basis for reduced design flow.
22. Water System Compliance Letter: The water system shall be in compliance with ADEQ requirements or on an approved schedule. New water system projects or projects designed to bring existing systems into compliance are exempt from this requirement. The applicant may be requested to obtain this letter from other Department staff.
23. Wastewater System Compliance Letter/List of Permits applicable to receiving Wastewater Treatment Facility: For subdivision projects, existing wastewater systems shall be in compliance with ADEQ requirements or on approved schedule (projects designed to bring existing systems into compliance are exempt from this requirement). If this letter is not obtained from ADEQ's Water Quality Compliance Section and included with the original application, review of the project will still proceed but will be slowed while the reviewer seeks and awaits this information. For sewage and on-site projects, the applicant must provide a listing of any other federal or state environmental permits issued for or needed by the facility, including any individual permit, Groundwater Quality Protection Permit, or Notice of Disposal that may have previously authorized the discharge.
24. Section 208 Plan Consistency Letter: All sewage treatment facilities must be consistent with Certified Area-wide Water Quality Management Plans, Facility Plan or General Plans prepared consistent with Section 208 of the Federal Clean Water Act per R18-5-303. The applicant may be requested to obtain this letter from other Department staff.
25. Capacity Development Elementary Business Plan: This plan is required before approval to construct can be issued for all new CWSs and new NTNCWSs that begin operation on or after October 1, 1999. This requirement does not apply to existing public water systems.

PART II : ADEQ SUBMITTAL REQUIREMENTS BY PROJECT TYPE for Drinking Water and Type 4 (Wastewater) General Aquifer Protection Permit Projects (FORM 222)

One copy of items 2 - 25 are required unless (noted). For project types E, F, and G, two sets are required if the project is located in the following counties: Cochise, Graham, Greenlee, Santa Cruz, or Pima.

DOCUMENT TYPES (NOTE 1)	PROJECT TYPES (NOTE 2)									
	A NEW WELL OR SOURCE	B WATER LINE	C WATER TREAT- MENT PLANT	D POOL/ SPA	E SEWAGE COLLECTION SYSTEM	F ON-SITE WASTE- WATER TREATMENT	G SUB- DIVISION (NOTE 3)	H SEWAGE TREAT- MENT FACILITY		
Multiple-Rule Citation Abbreviations: DW = Drinking Water / SC = Sewage Collection System / OW = On-Site Wastewater Facility										
1. INITIAL FEE [R18-14-102(D)Table 1. General Permit Fees]					X	X	X			
2. APPLICATION FOR APPROVAL TO CONSTRUCT DRINKING WATER FACILITIES	X	X	X							
3. NOTICE OF INTENT TO DISCHARGE FOR SEWAGE COLLECTION SYSTEM [R18-9-A301(B)(1)]					X					
4. NOTICE OF INTENT TO DISCHARGE FOR ONSITE WASTEWATER TREATMENT FACILITY [R18-9-A301(B)(1) & R18-9-A309(B)]						X				
5. APPLICATION FOR APPROVAL OF SANITARY FACILITIES FOR SUBDIVISION [R18-5-403(A)]								X		
6. APPLICATION FOR DESIGN APPROVAL FOR SWIMMING POOL OR SPA [DW=R18-5-203(B)]				X						
7. CONSTRUCTION PLANS - [DW=R18-4-505(B)(1)(a) / SC=R18-9-E301.C.4 / OW=R-18-9-A309(B)(4)]	X (4 SETS)	X (4 SETS)	X (4 SETS)	X (4 SETS)	X	X				
8. CONSTRUCTION SPECIFICATIONS-[DW=R18-4-505(B)(1)(b) / SC=R18-9-E301(C)(7&8) / OW=R18-9-A309(B)(5)]	X (4 SETS)	X (4 SETS)	X (4 SETS)	X (4 SETS)	X	X				
9. DESIGN REPORT - [DW=18-4-505(B)(1)(c)&(B)(2) / SC=R18-9-E301(C)(5,7&8) / OW=R18-9-A312]	X (2 SETS)	X (2 SETS)	X (2 SETS)		X	X				
10. SITE INVESTIGATION REPORT - [R18-9-A309(B)(1) & R18-9-A310]. Subdivision = GEOLOGICAL/SOILS REPORT - [R18-5-404 and R18-5-408(B) & (E)]						X	(NOTE 4)			
11. ORIGINAL WATER SERVICE AGREEMENT [R18-5-406(B)]		X								
12. SEWAGE TREATMENT FACILITY CAPACITY ASSURANCE FORM[R18-9-E301(C)(1)]					X					
13. SEWAGE COLLECTION SYSTEM CAPACITY ASSURANCE FORM [R18-5-407(B) & R18-9-E301(C)(2)/POOL R18-5-203(B)(4)]				(NOTE 7)	X					
14. ORIGINAL GARBAGE DISPOSAL/SERVICE AGREEMENT [R18-5-409(B)]							X			
15. ORIGINAL COUNTY APPROVAL FORM [18-5-408(E)(2&3)]							(NOTE 5)			
16. OPERATIONS & MAINTENANCE PLAN [DW=R18-4-507(B)(3)/SC=R18-9-E301(C)(6)/OW=R18-9-A309(B)(6)&A313(B)]Type4.02GenPmt=NA			(NOTE 8)		(NOTE 6)	X				
17. FINAL PLAT OR PLAT TO BE RECORDED [R18-5-402(B)]										
18. WATER QUALITY ANALYSIS REPORT [DW=R18-4-505(B)(1)(d)]	X		(NOTE 9)				X			
19. WATER WELL CONSTRUCTION DATA [DW=R18-4-502 & R18-4-505]	X									
20. SITE PLAN [DW=R18-4-501 & R18-4-505(B)(1)(a) / SC=R18-9-E301(C)(3) / OW=R18-9-A309(B)(2)/POOL R18-5-203(C)(1)]	X	X	X	(NOTE 10)	X	X	(NOTE 5)			
21. CC & R's [R18-5-409(C)]		X	X				X			
22. WATER SYSTEM COMPLIANCE LETTER [R18-4-505(E)(1)]	X	X	X							
23. SEWAGE SYSTEM COMPLIANCE LETTER [R18-5-407(D)(1)] & LIST OF OTHER RELATED PERMITS [SC, OW R18-9-A301(B)(2)(n)]					X	X	X			
24. 208 PLAN CONSISTENCY LETTER [R18-5-303]							(NOTE 5)			
25. CAPACITY DEVELOPMENT ELEMENTARY BUSINESS PLAN [R18-4-602]	X									

NOTES:

1. See Part I of this form for details about DOCUMENT CONTENT.
2. When a project includes several Project Types, the submitted documents must contain all necessary information for the OVERALL PROJECT. For example the documents submitted for a sewerage subdivision with drinking water distribution system shall concurrently address all three Project Types ("B", "E" and "G") which make up the OVERALL PROJECT.
3. At least one additional column always applies for the OVERALL PROJECT, except for dry-lot subdivisions (drinking water supplied by each lot owner; wastewater treatment/disposal within each lot).
4. Subdivisions that will utilize On-Site Wastewater Treatment Facilities are the only subdivision type that require Geological/Soils reports. ADEQ may require analysis, data, documentation to demonstrate compliance with R18-9-A309(A)(6) and/or R18-5-406(B & C).
5. Required only for subdivisions wherein wastewater treatment and disposal is the responsibility of each lot owner and occurs within each respective lot.
6. For sewage collection system projects with design flows greater than 10,000 gallons per day
7. Letter from sewer collection system to allow disposal of filter backwash water from the pool/spa into the sewer system.
8. O&M Manual is required for water treatment plants before approval of construction can be issued.
9. Water quality information after treatment for specific contaminant removal.
10. A general plot plan is required for pools and spas

"Sewage Treatment Facility" means a plant or system for sewage treatment and disposal, except on-site wastewater treatment facility, that consists of treatment works, disposal works, and appurtenant pipelines, conduits, pumping stations, and related subsystems and devices. Individual Aquifer Protection Permit Rules apply (Title 18, Chap.9, Article 2)